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NOTE VERBALE DATED 3 FEBRUARY 1994 FROM THE PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Austria to the United Nations presents its compliments to the Secretary-General and has the honour to submit the following report in accordance with paragraph 13 of Security Council resolution 883 (1993). In addition to the measures taken according to Security Council resolution 748 (1992) (see S/23920), Austria has taken the following measures in order to implement Security Council resolution 883 (1993).

1. Paragraph 3 of resolution 883 (1993)

The Austrian National Bank issued a regulation by which all financial transactions falling under the Foreign Currency Act, i.e. transactions with a "foreign connection" (either transborder payments or payments in foreign currencies), falling under paragraph 3 of resolution 883 (1993) require special permission. Financial transactions without such foreign connection and consequently not falling under the Foreign Currency Act are subject to prohibitions under a regulation of the Austrian Federal Government according to section 78, paragraph 7, of the Austrian Banking Act. Under this act dispositions and transactions of funds falling under paragraph 3 of resolution 883 (1993) held at Austrian banks are prohibited, even if the transactions concerned have no "foreign connection".

2. Paragraph 4 of resolution 883 (1993)

The regulation of the Austrian National Bank and the regulation of the Austrian Federal Government referred to above provide for a general exception concerning funds or other financial resources falling under paragraph 4 of resolution 883 (1993) provided that any such funds are paid into separate bank accounts exclusively for these funds.

3. Paragraph 5 of resolution 883 (1993)

Pursuant to section 5 of the Austrian Foreign Trade Act, the Federal Minister of Economic Affairs has issued a regulation by which all exports to the Libyan Arab Jamahiriya of the items listed in the annex to resolution 883 (1993) are prohibited. Any provision of services in connection with the items listed in the annex to resolution 883 (1993) are prohibited by a regulation of the Austrian Federal Government under section 1 of the Austrian Implementation of International Sanctions Act.

4. Paragraph 6 of resolution 883 (1993)

The Austrian Federal Ministry for Public Economy and Transport has ordered the closure of the Vienna office of the Libyan Arab Airlines. The regulation of the Austrian Federal Government under the Austrian Implementation of International Sanctions Act referred to above prohibits any commercial transactions with Libyan Arab Airlines, including the honouring or endorsement of any tickets or other documents issued by that airline. The regulation also orders the prohibition of the services referred to in subparagraphs (c) to (e). The provisions concerning the supply of certain goods and materials are covered by the regulation of the Federal Minister of Economic Affairs pursuant to section 5 of the Austrian Foreign Trade Act referred to above.

5. Paragraph 7 of resolution 883 (1993)

No new diplomatic missions and posts of the Libyan Arab Jamahiriya have been established in Austria since the adoption of resolution 748 (1992).